UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
Michael Aaron Carico
DOB: [redacted]

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the _____ in the District of Columbia, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. § 1752(a)(1)	Entering and Remaining in a Restricted Building or Grounds
18 U.S.C. § 1752(a)(2)	Disorderly and Disruptive Conduct in a Restricted Building or Grounds
40 U.S.C. § 5104(e)(2)(D)	Disorderly Conduct in a Capitol Building
40 U.S.C. § 5104(e)(2)(G)	Parading, Demonstrating, or Picketing in a Capitol Building

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

[redacted]

[redacted] Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 07/22/2021

2021.07.22 21:37:18 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

STATEMENT OF FACTS

1. Your affiant, [redacted] is a Special Agent of the Federal Bureau of Investigation, assigned to the Los Angeles Field Office. Currently, I am tasked with investigating criminal activity in and around the United States Capitol on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of violations of Federal criminal laws.

2. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

3. On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

4. As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

5. At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

6. Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

7. During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

8. The FBI interviewed CONFIDENTIAL HUMAN SOURCE ("CHS"), who admitted to being on the U.S. Capitol Grounds on January 6, 2021, but denied entering the U.S. Capitol.[1] CHS provided information to the FBI, including a video approximately nine seconds in length. Your affiant has reviewed this video, and I recognize the background as consistent with outside the U.S. Capitol Building.

9. The video provided by CHS shows the hands and arms of an individual, later identified as MICHAEL AARON CARICO ("CARICO"), wearing a camouflage shirt and brown and black gloves, and holding a camera and a stabilizer. Below is a screenshot from that video (Photograph 1). Also below is a photo taken by CHS outside the U.S. Capitol (Photograph 2) that shows CARICO taking a photo and wearing a camouflage shirt and a green hat backwards with the word "NAVY" printed on the front (the red box was added by the FBI).[2] CHS does not know CARICO personally. CHS's interactions with and observations of CARICO on January 6, 2021, are detailed below.

Photograph 1

[1] CHS has agreed to work as a CHS for the FBI and has received payment from the FBI in that capacity. To my knowledge, CHS has never been charged with or convicted of a crime.

[2] Based on my investigation, I have determined that CARICO did not serve in the United States Navy or any other branch of the U.S. military.

Photograph 2

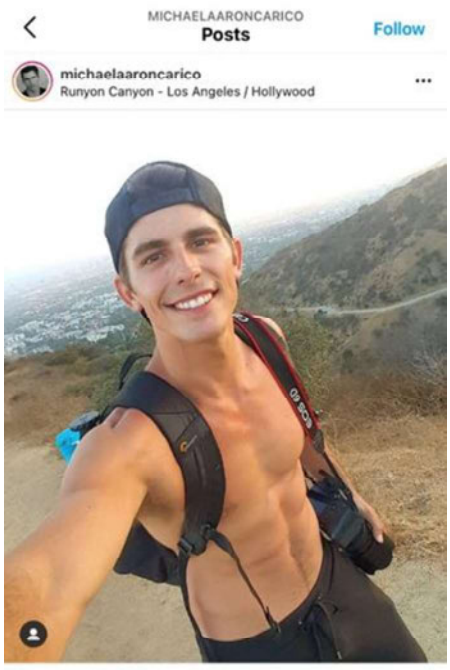
10. CHS informed the FBI that CARICO was telling others on the U.S. Capitol Grounds that CARICO had just been inside the U.S. Capitol. CHS recorded a video of this exchange from over the top of CARICO's shoulders. CHS heard a woman ask for CARICO's Facebook account and CARICO responded that it was "michaelaaroncarico." CHS wrote down the name to look it up later. CHS said CARICO was with another man, who was wearing a white hat ("SUBJECT 2").[3]

11. Your affiant searched for CARICO's name on the internet and found an Instagram account visible to the public bearing the username "michaelaaroncarico." I have reviewed videos and photos posted to that Instagram account and I recognize the person pictured on that account to be the gloved individual, CARICO. The Instagram account shows several videos or photos of a person wearing black and brown gloves and camouflage clothing with an American flag patch on his shoulder (Photograph 3). This clothing matches that worn by CARICO on the U.S. Capitol Grounds. Another photo from the Instagram account (Photograph 4) shows CARICO with the same camera and camera strap that CARICO brought to the U.S. Capitol Grounds on January 6, 2021, as shown in the video and photo provided by CHS.

[3] The FBI is currently investigating SUBJECT 2's activities in and around the U.S. Capitol on January 6, 2021.

michaelaaroncarico • Follow
Freedom
michaelaaroncarico America and freedom aren't going anywhereus
#timetofight #supremecourt #herewecome #democrats #cheating #america #needshelp #vidoftheday #keepamericagreat #trump2020 #stayfree #livefree #befree #conservative #constitutionalist #freedomisntfree #stoptheleft #stopwar #standup #foramerica #homeofthefree #godblessamerica #improudtobeanamerican
19w
841 views
NOVEMBER 4, 2020
Add a comment...
Post

Photograph 3

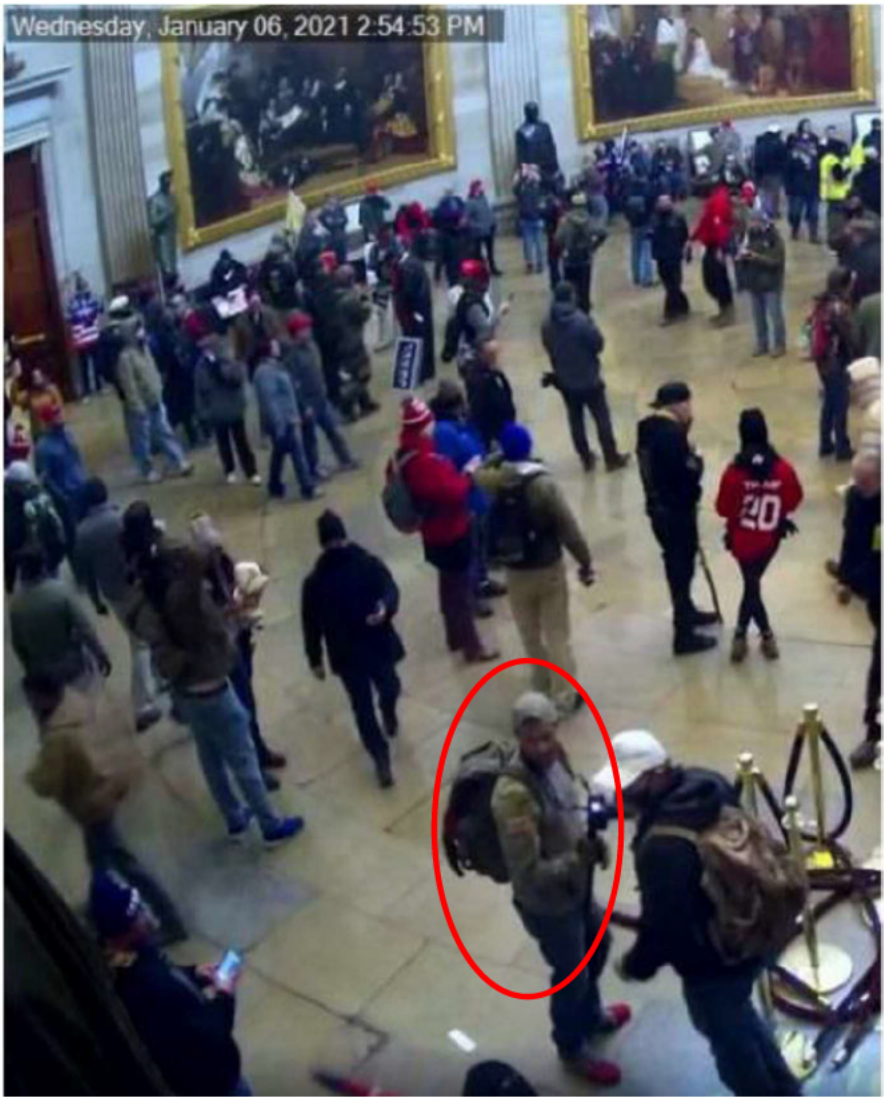


Photograph 4

12. According to records obtained through a search warrant served on Google, a mobile device associated with an email address containing CARICO's first and middle name @gmail.com (the "CARICO Gmail") was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a

"maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with the CARICO Gmail was within the U.S. Capitol or the restricted grounds from approximately 2:18 p.m. to approximately 3:55 p.m. Google records show that the "maps display radius" for this location data varied between more than and less than 100 feet, and thus encompasses an area that is partially within the U.S. Capitol Building.

13. Your affiant has reviewed video footage captured by U.S. Capitol surveillance cameras on January 6, 2021, including from a camera located in the U.S. Capitol Rotunda. Based on his physical features, clothing, and demeanor, I identified CARICO in the crowd of people in the U.S. Capitol Rotunda. Below is a screenshot (Photograph 5) taken from surveillance footage from the Rotunda (the red circle was added to highlight CARICO). CARICO is wearing a backwards hat, a camouflage shirt with an American flag on the shoulder, and red shoes. CARICO is standing next to an individual wearing a white hat, who is wearing clothing consistent with that worn by SUBJECT 2.



Photograph 5

14. Your affiant also reviewed a video submitted to the FBI that was taken by another person present in the U.S. Capitol Rotunda on January 6, 2021. At this time, I do not personally know who recorded this video, but the person recording it repeatedly identified himself as a member of the press. Again, I identified CARICO in the crowd of people in the U.S. Capitol Rotunda based on his physical features, clothing, and demeanor. In this video, CARICO is wearing a camouflage shirt with an American flag patch on his shoulder, which matches the clothing he wore in the video posted to the michaelaaroncarico Instagram account and in the photos provided by CHS. CARICO is carrying in his hand or wearing backwards a green baseball hat with "NAVY" on the front, wearing a green backpack, and carrying a camera. Those clothing items and accessories are consistent with those CARICO possessed outside the U.S. Capitol Building, as shown in the photo and video provided by CHS. Further, CARICO is next to an individual wearing a white hat and an American flag bandana, who appears to be SUBJECT 2. Below are two screenshots taken from this video showing CARICO in the Rotunda (Photographs 6 and 7).

Photograph 6

Photograph 7

15. I obtained CARICO's driver's license photo from the Florida Department of Motor Vehicles. I compared that photo to the photos and videos provided by CHS, posted on the michaelaaroncarico Instagram account, captured by U.S. Capitol surveillance cameras, and filmed by a person identifying himself as a member of the press. Based on my training, experience, and investigation, I believe them all to depict the same person: CARICO.

16. Pursuant to a search warrant, the FBI obtained content from the CARICO Gmail account, including photos and videos. Photograph 8 shows CARICO wearing a camouflage shirt with an American flag on his shoulder, which appears to be the same shirt he was wearing at the U.S. Capitol on January 6, 2021. Photograph 9 was taken on January 6, 2021, and shows CARICO standing in front of the Seabees Memorial, which is located in Arlington, Virginia. CARICO is wearing the green hat with the word "NAVY" on the front and a green jacket, and holding a camera with a large lens.

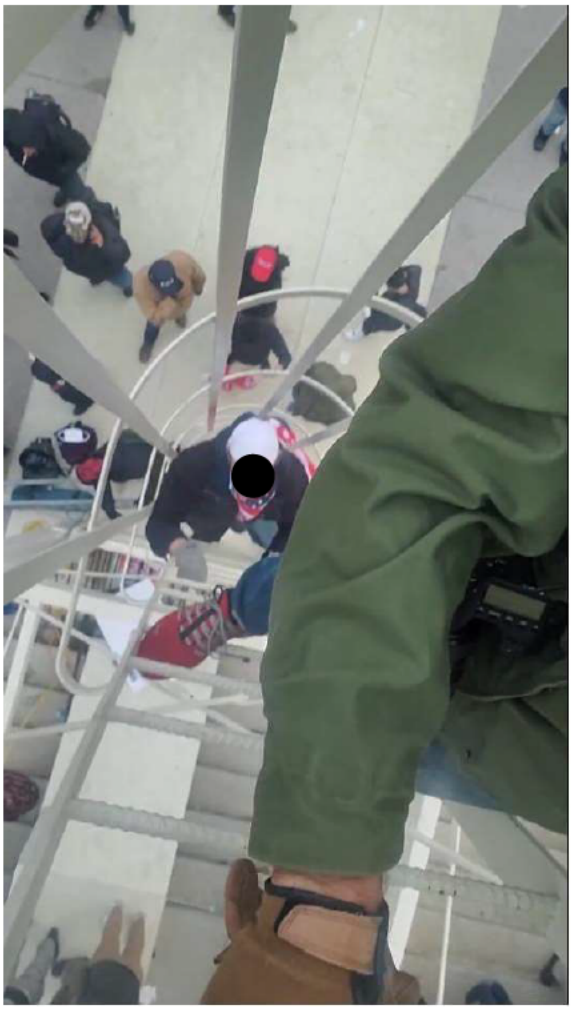
Photograph 8

Photograph 9

17. Photos and videos obtained pursuant to the search warrant on the CARICO Gmail account show that CARICO entered the restricted grounds and climbed to the top of the media tower, which was located near the inauguration stage on the West Front of the U.S. Capitol. Photograph 10 shows the area around the inauguration stage as it looked on January 6, 2021, including the media tower on the far right of the image.[4] One video shows CARICO and SUBJECT 2 climbing the ladder to the platform located on the top of the media tower. Photograph 11 is a screenshot from this video, showing CARICO's brown and black gloves and red shoes. Photograph 12 is another screenshot from this video, showing CARICO's face, the Capitol Reflecting Pool, and the National Mall, including the Washington Monument. Photograph 13 is a selfie-style photo CARICO took of himself and SUBJECT 2 from the media tower overlooking the U.S. Capitol.

Photograph 10

[4] Photograph 10 is publicly available on the website of the BBC at https://www.bbc.com/news/world-us-canada-56004916, and is attributed to Getty Images.



Photograph 11

Photograph 12

Photograph 13

18. Another video obtained from the CARICO Gmail account is approximately thirty seconds in length and taken from the media tower. In the video, CARICO and SUBJECT 2, along with others in the crowd, sing or yell the words, "the land of the free, and the home of the brave." I recognize these words as the closing lines of the Star-Spangled Banner. CARICO then looks directly at the camera and says, "Hey Nancy, go fuck yourself." Based on the proximity to the U.S. Capitol and the congressional proceedings occurring that day, I understand "Nancy" to be a reference to Speaker of the House Nancy Pelosi.

19. Based on my investigation, I have determined that CARICO was not a congressional staffer, law enforcement officer, or other person authorized to be inside the U.S. Capitol or restricted grounds on January 6, 2021.

20. Based on the foregoing, your affiant submits that there is probable cause to believe that CARICO violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

21. Your affiant submits there is also probable cause to believe that CARICO violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

[redacted]

Special Agent [redacted]
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 22nd day of July 2021.

2021.07.22
21:33:43 -04'00'

HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE